

## Remarks

Applicants respectfully request reconsideration of the present U.S. Patent application as amended herein. Claims 1, 2, 8-10, 13, 15, 20, 24 and 25 have been amended. No claims have been added or canceled. Thus, claims 1-26 are pending.

### CLAIM OBJECTIONS

Claims 2, 8-10, 13, 15, 20 and 25 were objected to for informalities. The informalities identified in the Office Action have been corrected herein. Accordingly, Applicants request that the objections to the claims be withdrawn.

### CLAIM REJECTIONS – 35 U.S.C. § 102(b)

Claims 1-11, 13-19 and 24-26 were rejected as being anticipated by U.S. Patent No. 5,131,013 issued to Choi (*Choi*). For at least the reasons set forth below, Applicants submit that claims 1-11, 13-19 and 24-26 are not anticipated by *Choi*.

Claim 1 recites:

generating stuff bits for a data stream according to the second network protocol based on at least a ***partially non-linear relationship*** between a queue value and a phase difference between the first timing signal and the second timing signal.

Thus, Applicants claim use of a relationship between a queue value and a phase difference that is at least partially non-linear. Claim 24 similarly recites use of a relationship between a queue value and a phase difference that is at least partially non-linear.

*Choi* discloses a linear relationship. See, for example, the equation at the top of column 7. Therefore, *Choi* cannot anticipate the invention as claimed in claims 1 and 24.

Claims 2-11 depend from claim 1. Claims 25 and 26 depend from claim 24. Because dependent claims include the limitations of the claims from which they depend, Applicants submit that claims 2-11, 25 and 26 are not anticipated *Choi*.

Claim 13 recites:

a stuff rate generator coupled to receive the phase metric signal to generate a stuff rate signal based on the phase metric signal, wherein a relationship between the phase metric signal is at least partially non-linear.

Thus, Applicants claim an apparatus that generates a relationship between a queue value and a phase difference that is at least partially non-linear.

As discussed above, *Choi* does not disclose use of a non-linear relationship as claimed. Therefore, *Choi* cannot anticipate the invention as claimed in claim 13.

Claims 14-19 depend from claim 13. Because dependent claims include the limitations of the claims from which they depend, Applicants submit that claims 14-19 are not anticipated *Choi*.

#### CLAIM REJECTIONS – 35 U.S.C. § 103(a)

Claim 12 was rejected as being unpatentable over *Choi* in view of U.S. Patent Publication No. 2002/0191724 of Bleisteiner (*Bleisteiner*). Claim 12 depends from claim 1, which is discussed above. *Bleisteiner* is cited to teach a FIFO buffer. However, *Bleisteiner* does not cure the deficiencies of *Choi* set forth above. Therefore, no

combination of *Choi* and *Bleisteiner* can teach or suggest the invention as recited in claim 12.

Claims 20-23 were rejected as being unpatentable over *Choi* in view of U.S. Patent Publication No. 2004/0120360 of Tanis (*Tanis*). For at least the reasons set forth below, Applicants submit that claims 20-23 are not rendered obvious by *Choi* and *Tanis*.

Claim 20 recites:

a stuff rate generator coupled to receive the phase metric signal to generate a stuff rate signal based on the phase metric signal, wherein a relationship between the phase metric signal is at least partially non-linear.

Thus, Applicants claim an apparatus that generates a relationship between a queue value and a phase difference that is at least partially non-linear.

As discussed above, *Choi* does not disclose use of a non-linear relationship as claimed. *Tanis* is cited to teach a switching fabric. See Office Action at page 7. However, *Tanis* does not cure the deficiencies of *Choi*. Therefore, no combination of *Choi* and *Tanis* can teach or suggest the invention as claimed in claim 20.

Claims 21-23 depend from claim 20. Because dependent claims include the limitations of the claims from which they depend, Applicants submit that claims 21-23 are not rendered obvious by *Choi* and *Tanis*.

#### CONCLUSION

For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, claims 1-26 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by

telephone if such contact would further the examination of the present application.

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,  
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